

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ROMAN WOODSON, #40332037 :
:
Plaintiff :
:
v. : CIVIL ACTION NO. JFM-05-3101
:
UNITED STATES OF AMERICA :
:
Defendant :
:

MEMORANDUM

Pending is correspondence filed by Roman Woodson, a federal inmate, in which he requests return of items seized from his home and storage unit by law enforcement officials on or about May 14, 2002. The correspondence will be construed as a Motion for the Return of Property pursuant to Rule 41 (g) of the Federal Rules of Criminal Procedure. The motion has been accepted for filing, but may not proceed until plaintiff submits the \$250.00 filing fee or moves for leave to proceed in forma pauperis.

On March 31, 2004, the court sentenced Mr. Woodson to 33 months imprisonment after he pleaded guilty to fraud in connection with identification documents and conspiracy to commit identity fraud. See United States v. Woodson, Criminal Action No. MJG-02-0261 (D. Md.). His conviction and sentence were affirmed on appeal. See United States v. Woodson, 2005 WL 2746566 (4th Cir. October 25, 2005).

A post-conviction motion for the return of property is essentially a civil proceeding for equitable relief. See United States v. Jones 215 F.3d 467, 469 (4th Cir. 2000). As such, plaintiff is required to submit the civil filing fee, unless he qualifies for indigent status. Plaintiff will be granted twenty days to provide the \$250.00 filing fee or file a motion for leave to proceed in

forma pauperis.¹ Failure to comply may result in dismissal of the complaint without further notice. A separate Order follows.

/s/

J. Frederick Motz
United States District Judge

¹The court will direct the Clerk to mail plaintiff an information packet and forms for filing for leave to proceed in forma pauperis.